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07/31/03

RESOLUTION NO. 1175

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, APPROVING AN AMENDMENT TO A DEVELOPMENT AGREEMENT FOR PHASE III OF THE SAFECO REDMOND CAMPUS AT THE SOUTHWEST CORNER OF 156<sup>TH</sup> AVENUE NE AND NE 51<sup>ST</sup> STREET

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WHEREAS, Resolution No. 1066, passed by the City Council on May 5, 1998, approved a development agreement between the City of Redmond and Safeco Insurance Company of America ("Safeco") for the property commonly known as Phase III of the Safeco Redmond Campus ("the Development Agreement"), and

WHEREAS, paragraph 3 of the Development Agreement provides that development applications for Phase III must be filed within six years from the date of the Development Agreement in order for the provisions of the Agreement to remain in effect as to Phase III, and

WHEREAS, Safeco and General America Corporation, as successor in interest to Safeco in the property covered by the Development Agreement, have requested that paragraph 3 of the Development Agreement be amended in order to extend the six-year deadline for the filing of development applications by one year, and

WHEREAS, Safeco and General America Corporation have also requested that the legal description of the property covered by the Development Agreement be amended to reflect the current legal description approved as part of a binding site plan recorded subsequent to execution of the Development Agreement, and

WHEREAS, pursuant to RCW 36.70B.200, the Redmond City Council held a public hearing on the proposed amendment on August 19, 2003, and after considering all testimony presented at the public hearing, determined that the amendment should be approved, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,  
HEREBY RESOLVES AS FOLLOWS:

**Section 1. Amendment Approved.** That certain agreement entitled, "Amendment to Development Agreement between the City of Redmond and Safeco Insurance Company of America for Development of Phase III of the Redmond Campus," attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full, is hereby approved. The Mayor is hereby authorized to execute the Amendment.

**Section 2. Recording.** As provided in RCW 36.70B.190, a signed original of the Amendment shall be recorded with the real property records of King County, Washington and shall be binding on the parties and their successors and assigns.

RESOLVED this 19<sup>th</sup> day of August, 2003.

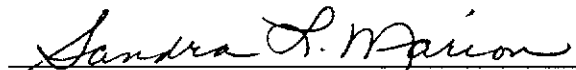
CITY OF REDMOND



ROSEMARIE IVES, MAYOR

by: RICHARD G. COLE, MAYOR PROTEMPORE

ATTEST/AUTHENTICATED:



BONNIE MATTSON, CITY CLERK:

by: SANDRA L. MARION, DEPUTY CITY CLERK

FILED WITH THE CITY CLERK: August 14, 2003

PASSED BY THE CITY COUNCIL: August 19, 2003

RESOLUTION NO. 1175

# Exhibit A

## AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF REDMOND AND SAFECO INSURANCE COMPANY OF AMERICA FOR DEVELOPMENT OF PHASE III OF THE REDMOND CAMPUS

The City of Redmond, a Washington Optional Municipal Code City ("City"), and General America Corporation, a Washington corporation ("GAC"), the successor in interest to Safeco Insurance Company of America, a Washington corporation ("Safeco"), as owner of the real property known as the Redmond Campus, hereby enter into the following amendment to the Development Agreement dated May 27, 1998, and recorded under recording number 9808200229, governing the development of the Redmond Campus, a copy of which is attached hereto.

Attachment 1 to the Development Agreement, referenced in paragraph 1 set forth below, is hereby amended to reflect the change in legal description of the Redmond Campus due to approval by the City of the binding site plan for the Campus. Attachment 1, as amended, is appended hereto and by this reference incorporated herein as if set forth in full.

1. Location. The Redmond Campus consists of 46.13 acres located at the southwest corner of 156th Street N.E. and N.E. 51st Street in Redmond, King County, Washington, and is legally described on Attachment 1, which is incorporated herein as if set forth in full.

Paragraph 3 of the Development Agreement is hereby amended as follows to reflect the extension of the term of the Development Agreement:

3. Term of Agreement and Vesting. This Development Agreement and the zoning, building and development regulations, transportation concurrency regulations, impact fees, SEPA regulations and substantive SEPA policies and other laws, statutes, ordinances or policies governing land development identified in this Development Agreement shall govern the development of Phase III so long as any application required for Phase III development, including an application for Site Plan Review (or if that process is no longer used, the equivalent review process at the time of development), is filed on or before May 27, 2005. Except as otherwise provided herein or by county, state or federally mandated laws preempting the City's authority to vest regulations to Phase III development under this Agreement, and excluding revisions to permit processing and plan review fees, any amendments or additions made during the term of this Development Agreement to zoning, building or development regulations, transportation concurrency regulations, impact fees, SEPA regulations and substantive SEPA policies or other laws, statutes, ordinances, comprehensive plan policies or other policies governing land development which are identified in this Development Agreement as applicable to Phase III development shall not apply to or affect the conditions of Phase III development, provided that pursuant to RCW 36.70B.170(4) the City reserves authority to impose new or different officially adopted regulations of general applicability, but only if, and to the extent required by a

serious threat to public health and safety, as determined by the Redmond City Council after notice and an opportunity to be heard has been provided to Safeco.

Except as expressly amended herein, all terms and conditions of the Development Agreement remain in effect and binding upon the parties, their successors in interest and assigns.

Agreed this \_\_\_\_ day of \_\_\_\_\_, 2003.

CITY OF REDMOND

ATTEST:

\_\_\_\_\_  
By Rosemarie Ives, Mayor

\_\_\_\_\_  
Bonnie Mattson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

GENERAL AMERICA CORPORATION, Successor in Interest to SAFECO INSURANCE  
COMPANY OF AMERICA

\_\_\_\_\_  
By \_\_\_\_\_  
Its \_\_\_\_\_



